

Practitioner's Docket No. U 013396-8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yoel ARIEL, et al

Application No.: 09/829,435

Group No.: 2877

Filed: April 9, 2001

Examiner:

For: SPATIAL AND SPECTRAL WAVEFRONT ANALYSIS AND MEASUREMENT

Box Missing Part

Assistant Commissioner for Patents

Washington, D.C. 20231

**COMPLETION OF FILING REQUIREMENTS
-- NONPROVISIONAL APPLICATION**

(check and complete this item, if applicable)

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) or Notice of Informal Application mailed June 5, 2001.

NOTE: Please papers are filed before the office letter issues, adequate identification of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card and/or the attorney's docket number, date

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

If using Express Mail, the Express Mail label number is mandatory
Express Mail label number: _____

I hereby certify that, on the date shown below, this correspondence is being

MAILING

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

with sufficient postage as first class mail

as Express Mail Post Office Label
Number: _____ mandatory

TRANSMISSION

transmitted by facsimile to the Patent and Trademark Office

Date: August 15, 2001

Signature

JULIANNE COHEN

Assistant Commissioner for Patents

WARNING: *Failure to use Express Mail, or to use a valid Express Mail label number, will result in a delay in processing of your application. The Patent and Trademark Office is not responsible for any delay in processing of your application if you do not use Express Mail or a valid Express Mail label number. Please refer to 37 C.F.R. 1.10 and 1.8(a) for more information.*

[X] A copy of the Notice is enclosed.

DECLARATION OR OATH

11. (a) No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

NOTE: If the present inventors are not named in the claim as the inventors, then Section 148(1) will not be violated with the declaration under Section 148(3) for the submission of an executed affidavit under Section 148(3) during the pendency of the application will affect the earlier affidavit under Section 148(1) of the ULR Section 148(1).

OR

(b) [] The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: For stretching fee for filing declaration after filing date complete item VII-B below.

NOTE The following combinations of information supplied on an application or declaration filed after the filing date are acceptable as minimums for identifying a specification and as compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:

- (1) application number consisting of the series code and the serial number, e.g., 08/123,456;
- (2) serial number and filing date.

Comments on published

Almondine

- (c) Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.
- (e) Statement that substitute specification contains no new matter.
- (f) Preliminary Amendment.
- (g) Transmittal of Formal Drawing(s) Prior to Notice of Allowance.
- (h) Submission of "Sequence Listing," computer readable copy, and an amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

AMENDMENT TO CLAIMS

III. Cancel claims _____ inclusive.

TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

IV. Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

NOTE: Failure to process a non-English application is complete in U.S. Patent

Section 1, 16(a), or declare a patent application filed or applied in the PTO as being translated. 37 C.F.R. Section 1, 16(b).

NOTE: The translation for a regular application filed in a foreign language must be certified. 37 C.F.R. Section 1, 16(d).

SMALL ENTITY STATUS

V. [X] A statement that this filing is by a small entity

(check and complete applicable items)

[X] is attached.

[X] A separate refund request accompanies this paper.

[X] was filed on _____ (original).

COMPLETION FEES

VI.

WARNING: Failure to submit the statement required above in this application may result in a fine imposed under 37 C.F.R. Section 1, 53.

NOTE: Failure to pay the filing fees and other charges in timely fashion may result in a fine imposed under 37 C.F.R. Section 1, 53.

1. Filing fee

[X] original patent application

filed before 29 December 1999
(37 C.F.R. Section 1,16(a))-\$760.00, small entity-\$380.00

filed after 29 December 1999
(37 C.F.R. Section 1,16(a))-\$710.00, small entity-\$355.00

2. design application

(37 C.F.R. Section 1,16(f))-\$320.00, small entity-\$160.00

2. Fees for claims

<input checked="" type="checkbox"/> each independent claim in excess of 3 (37 C.F.R. Section 1.16(b)--\$80; small entity--\$40)	\$ <u>840.00</u>
<input checked="" type="checkbox"/> each claim in excess of 20 (37 C.F.R. Section 1.16(c)--\$18; small entity--\$9)	\$ <u>2052.00</u>
<input type="checkbox"/> multiple dependent claim(s) (37 C.F.R. Section 1.16(d)--\$270; small entity--\$135)	\$ <u> </u>

3. Surcharge fees

<input checked="" type="checkbox"/> late payment of filing fee and or late filing of original declaration or oath (37 C.F.R. Section 1.16(e)--\$130; small entity--\$65)	\$ <u>65.00</u>
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NOTE: Everywhere a facsimile declaration or oath signed by the inventors was part of the originally filed papers, the surcharge fee is required.

NOTE: If both the filing fee and declaration or oath were missing from the original papers, the Office practice under 37 C.F.R. Section 1.16(e) is that only one surcharge fee need be paid whether the late filing of declaration and or the filing fee are submitted afterwards at the same time or at different times.

4. Petition and fee for filing by other than
all the inventors or a person not the inventor
(37 C.F.R. Sections 1.17(i) and 1.47--\$130) \$

5. Fee for processing an application filed with
a specification in a non-English language
(37 C.F.R. Sections 1.17(k) and 1.52(d)--\$130) \$

6. Fee for processing and retention of application
(37 C.F.R. Sections 1.21(l) and 1.53(d)--\$130) \$

NOTE: 37 C.F.R. Section 1.21(l) establishes a fee for processing and retaining an application during its initial pendency prior to the filing of a continuation or a divisional application. 37 C.F.R. Section 1.53(d) specifies that the amount of \$130 for a "specification" and \$83 for a "claim" is the amount of \$130 for a "specification" and \$83 for a "claim" indicate that in order to obtain the benefit of the fee, the specification and the claims must be filed in English. If the specification and the claims are filed in English, the fee for a "specification" is \$83 and the fee for a "claim" is \$83.

7. Assignment (See "ASSIGNMENT COVER SHEET") \$

Total completion fees \$ 3372.00

EXTENSION OF TIME

VII.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a) Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$195.00
<input type="checkbox"/> three months	\$ 890.00	\$445.00
<input type="checkbox"/> four months	\$1,390.00	\$695.00

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VIII.

The total fee due is

Completion fees) \$ 1,331.20
Extension fee (if any) \$ 1.00

Total Fee Due \$ 1,332.00

PAYMENT OF FEES

IX.

Enclosed is a check in the amount of \$ 3312.00.

Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

Please charge Account No. 12-0425 for any fees which may be due by this paper.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

1

WARNING: Incorrectly coded claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested without a reason for return, nor will the power be exercised of such amounts. Amounts over twenty-five dollars may be returned to the depositor if requested in credit to a deposit account." 37 C.R.S. Sec. 11-27(2).

[X] The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 12-0425.

[X] 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

³⁷ C.I.R. Section 1.16(b), (c) and (d) (presentation of extra claims).

[X] 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and or declaration on a date later than the filing date of the application)

[8] 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a)).

[X] 37 C.I.R. Section 117 (application processing fees)

NOTE "A written request may be submitted in an application that is an authorization to treat as concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as well as a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, as under Section 1.17, for all required extensions of time, fees will be treated as a constructive petition for an extension of time in any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fees set forth in Section 1.17, as will also be treated as a constructive petition for an extension of time in any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission." 33 CFR Section 1.18(e).

[X] 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

NOTE: Where an individualization to charge the issue fee to a deposit account has been made, the individualization of Notice 101, Item 10, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR Section 1.81(b).

NCII 37 CFR Section 1.28(b) requires "Notification of change in less than one-half small entity status must be made at the time of the application or prior to paying, or at the time of paying, a fee." In contrast, under 37 CFR Section 1.28(b), a notification of change in status must be made even if the fee is paid as "less than a small entity" and the no notification is required if the change is to another small entity.

[Signature]

Reg. No.: 20,302

JULIAN H. COHEN

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PRO-Address

Customer No.: 00140

c/o Ladas & Parry
26 West 61st Street
New York, N.Y. 10023

AUG 9 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20591
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APPLICATION NUMBER	FLILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY OR AGENT NUMBER
09/829,435	04/09/2001	Yoel Arieli	U 013396-8

CONFIRMATION NO. 8767

FORMALITIES LETTER



OC000000006150239

Ladas & Parry
 26 West 61st Street
 New York, NY 10023

Date Mailed: 06/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2892.
 - \$2052 for 228 total claims over 20.
 - \$840 for 21 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 3312.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE